

REMARKS

Applicant respectfully requests reconsideration in view of the amendment and following remarks. The applicant has amended the independent claims to include the allowable feature of pesticide.

Claims 42-46, 52-54, 56-61, 67 and 70-73 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Claims 42-46, 62-67 and 70-73 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 42-44, 52-53, 56-59, 70 and 73 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilson et al. U.S. 3,287,189 ("Wilson"). The applicant respectfully traverses these rejections.

35 U.S.C. 112, First Paragraph Rejection

Claims 42-46, 52-54, 56-61, 67 and 70-73 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. In order to expedite prosecution, the applicant has amended the claims and deleted reference to requiring a fertilizer. For the above reasons, this rejection should be withdrawn.

35 U.S.C. 112, Second Paragraph Rejection

Claims 42-46, 62-67 and 70-73 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Support for the phrase "no added water is required" can be found at page 8, lines 9-10 of the specification and the examples. The phrase "no added water is required" means that no water is added to the composition. Another words, water is not an

additional component in the composition. It does not preclude that some water can be formed in situ when the ingredients of the composition are added together. For the above reasons this rejection should be withdrawn.

REJECTION OVER WILSON

Claims 42-44, 52-53, 56-59, 70 and 73 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilson. In order to expedite prosecution, the applicant has amended the claims so that the claims require that the composition is combined with a pesticide. The Examiner correctly recognized that the composition containing a pesticide is allowable over the prior art. For the above reasons, this rejection should be withdrawn.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Application No.: 09/734637

Docket No.: 00306-00141-USU

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 00306-00141-USU from which the undersigned is authorized to draw.

Respectfully submitted,

By

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